

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 18 OF 2007

L.S.

Donald TSANG
Chief Executive
12 July 2007

An Ordinance to provide for the declaration of Morningside College and S. H. Ho College as constituent Colleges of The Chinese University of Hong Kong; and to make consequential and related amendments.

[13 July 2007]

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as The Chinese University of Hong Kong (Declaration of Morningside College and S. H. Ho College as Constituent Colleges) Ordinance.

2. Interpretation

In this Ordinance, unless the context otherwise requires—
“constituent Colleges” (成員書院), “Council” (大學校董會) and “University” (香港中文大學) have the same meanings as in the principal Ordinance;
“principal Ordinance” (主體條例) means The Chinese University of Hong Kong Ordinance (Cap. 1109).

**3. Declaration of Morningside College and
S. H. Ho College as constituent
Colleges of the University**

Morningside College and S. H. Ho College are, in accordance with a special resolution of the Council, declared to be constituent Colleges of the University.

4. Saving

Nothing in this Ordinance shall affect or be deemed to affect the rights of the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by, from or under them.

5. Consequential and related amendments

(1) The principal Ordinance is amended in the manner and to the extent set out in Schedule 1.

(2) The Prevention of Bribery (Exclusion of Bodies and Members of Bodies of Educational Institutions) Notice (Cap. 201 sub. leg. B) is amended in the manner and to the extent set out in Schedule 2.

SCHEDULE 1

[s. 5]

AMENDMENTS TO THE CHINESE UNIVERSITY OF HONG KONG ORDINANCE

1. Long title amended

The long title to The Chinese University of Hong Kong Ordinance (Cap. 1109) is amended by adding “, Morningside College and S. H. Ho College” after “Shaw College”.

2. Preamble amended

The preamble is amended, in paragraph (*da*), by repealing “by special resolution, resolved that Shaw College shall be a constituent College” and substituting “by special resolutions, resolved that Shaw College, Morningside College and S. H. Ho College shall be constituent Colleges”.

3. Definitions

(1) Section 2(1) is amended, in the definition of “Board of Trustees”, by repealing “a constituent College” and substituting “an original College or Shaw College”.

(2) Section 2(1) is amended, in the definition of “constituent College”, by repealing everything after “section 3” and substituting a semicolon.

(3) Section 2(1) is amended by repealing the definition of “Head” and substituting—

““Head” (院長) means, in relation to an original College or Shaw College, the Head of the College concerned;”.

4. **Officers**

Section 5(1) is amended by repealing “the Head of each constituent College” and substituting “the Heads of the original Colleges and of Shaw College”.

5. **Powers and duties of the Council**

Section 7(c) is amended by repealing everything after “immovable property” and substituting “of any original College or Shaw College, the Council shall not alter the use of any such property without the prior consent of the Board of Trustees of the College concerned;”.

6. **Repeals**

(1) The heading of section 20 is amended by repealing “**Repeals**” and substituting “**Miscellaneous provisions**”.

(2) Section 20(2) is repealed and substituted by—

“(2) The constitution and powers of the Boards of Trustees of the original Colleges are set out in Schedule 3.”.

(3) Section 20(3) is repealed and substituted by—

“(3) The constitution and powers of the Board of Trustees of Shaw College are set out in Schedule 4.”.

7. **Statutes of The Chinese University of Hong Kong**

(1) Statute 1 of the Statutes of The Chinese University of Hong Kong in Schedule 1 is amended—

(a) in the definition of “College”, by repealing everything after “section 3” and substituting a semicolon;

(b) by adding—

““additional College” (新增書院) means a constituent College other than an original College or Shaw College;”.

(2) Statute 3(g) is amended by repealing “Colleges” and substituting “original Colleges and of Shaw College”.

- (3) Statute 9 is amended—
- (a) in the heading, by repealing “COLLEGES” and substituting “ORIGINAL COLLEGES AND OF SHAW COLLEGE”;
 - (b) by adding immediately before paragraph 1—
“1A. This Statute only applies to and in relation to the original Colleges and Shaw College.”.
- (4) Statute 11 is amended—
- (a) in paragraph 1(e), by adding “in relation to the original Colleges and Shaw College,” before “2 members”;
 - (b) in paragraph 1(f), by repealing “Head of each College” and substituting “Heads of the original Colleges and of Shaw College”;
 - (c) in paragraph 1(h), by adding “in relation to the original Colleges and Shaw College,” before “one”;
 - (d) in paragraph 8(1)(g), by adding “in relation to the original Colleges and Shaw College,” before “to require”.
- (5) The Statutes are amended by adding—

“STATUTE 11A

CONSTITUTIONS OF ADDITIONAL COLLEGES

1. There shall be a constitution for each additional College. The constitution shall be subject to the approval of the Council.
 2. The name, structure and organization of each additional College shall be determined by the Council.”.
- (6) Statute 12 is amended—
- (a) in paragraph 2(c), by repealing “Head of each College” and substituting “Heads of the original Colleges and of Shaw College”;
 - (b) in paragraph 4—
 - (i) by repealing “concerning a College” and substituting “concerning an original College or Shaw College”;
 - (ii) by repealing “that College” and substituting “the College concerned”.
- (7) Statute 13 is amended, in paragraph 1(c), by repealing “Head of each College” and substituting “Heads of the original Colleges and of Shaw College”.
- (8) Statute 14 is amended—

- (a) in paragraph 1(c), by repealing “Head of each College” and substituting “Heads of the original Colleges and of Shaw College”;
 - (b) in paragraph 1(g), by adding “in relation to the original Colleges and Shaw College,” before “2 Fellows”;
 - (c) in paragraph 1(m), by adding “in relation to the original Colleges and Shaw College,” before “1 student”;
 - (d) in paragraph 2, by repealing “Fellows and student members elected under paragraph 1(l) or (m)” and substituting “Fellows elected under paragraph 1(g) and student members elected under paragraph 1(l) or (m)”.
- (9) Statute 15 is amended, in paragraph 6(g), by adding “in relation to the original Colleges and Shaw College,” before “one”.
- (10) Statute 16 is amended—
- (a) by repealing paragraph 2 and substituting—
 - “2A. In relation to the original Colleges and Shaw College, the Fellows of each College appointed under paragraph 1 shall, together with the Head of that College, form an Assembly of Fellows of that College.
 - 2B. In relation to the additional Colleges, the Fellows of each College appointed under paragraph 1 shall form an Assembly of Fellows of that College.”;
 - (b) by repealing paragraph 3 and substituting—
 - “3. In relation to the original Colleges and Shaw College, the Head of a College shall be the Chairman of the Assembly of Fellows of that College.”;
 - (c) by repealing paragraph 6 and substituting—
 - “6. In relation to the original Colleges and Shaw College, the Assembly of Fellows of each College shall—
 - (a) elect one of their number to be a member of the Council; and
 - (b) when necessary, elect 6 Fellows of varying academic seniority for the purposes of serving on the Committee constituted under paragraph 1 of Statute 9.
 - 6A. The Assembly of Fellows of each College shall be responsible for—
 - (a) arranging the tutorial instruction, pastoral counselling and student-orientated teaching of the students assigned to the College;

- (b) the supervision of residential accommodation for certain students at the College; and
- (c) the maintenance of discipline within the College.”.

(11) Statute 19(c) is amended by repealing “Head of each of the Colleges” and substituting “Heads of the original Colleges and of Shaw College”.

(12) Statute 20 is amended—

- (a) by repealing paragraph 2(d) and substituting—
“(d) (if the College to which the appointee will be assigned is an original College or Shaw College) the Head of the College concerned;”;
- (b) by repealing paragraph 3(d) and substituting—
“(d) (if the College to which the appointee will be assigned is an original College or Shaw College) the Head of the College concerned;”;
- (c) by repealing paragraph 4(d) and substituting—
“(d) (if the College to which the appointee will be assigned is an original College or Shaw College) the Head of the College concerned; and”.

(13) Statute 24 is amended, in paragraph 3, by repealing “Head of each of the Colleges” and substituting “Heads of the original Colleges and of Shaw College”.

(14) Statute 26 is amended—

- (a) in paragraph 12(c), by repealing “Heads of the Colleges” and substituting “Heads of the original Colleges and of Shaw College”;
- (b) by repealing paragraph 12(f) and substituting—
“(f) 4 members elected by the Senate from among its own members.”.

8. Constitution of the Original Colleges

(1) The heading of Schedule 3 is amended by adding “AND POWERS OF THE BOARDS OF TRUSTEES” after “CONSTITUTION”.

(2) Schedule 3 is amended, within the square brackets, by repealing “ss. 19(2) & 20(2)” and substituting “s. 20(2)”.

9. Schedule 4 heading amended

The heading of Schedule 4 is amended by adding “AND POWERS OF THE BOARD OF TRUSTEES” after “CONSTITUTION”.

SCHEDULE 2

[s. 5]

AMENDMENTS TO PREVENTION OF BRIBERY (EXCLUSION OF BODIES AND
MEMBERS OF BODIES OF EDUCATIONAL INSTITUTIONS) NOTICE

1. First Schedule amended

The First Schedule to the Prevention of Bribery (Exclusion of Bodies and Members of Bodies of Educational Institutions) Notice (Cap. 201 sub. leg. B) is amended, in the second column of item 2, by repealing “The Boards of Trustees of the constituent Colleges” and substituting “The Boards of Trustees of Chung Chi College, The United College of Hong Kong, New Asia College and Shaw College”.